

Guide to Using Land Records



[Introduction](#)

[Abstracts](#)

[County Deed Books](#)

[Granville and State of North Carolina Land Grants](#)

[Additional Sources on Land Records](#)

Introduction

Not infrequently, genealogists get stuck when working on pre-1850 Guilford and Piedmont lines. There may be any number of reasons for this, but some of the chief ones are: 1) pre-1850 US censuses name only heads of household,* thus making it difficult to establish relationships using the census; 2) wills and estate records are often not available; 3) court minutes and dockets are frequently unindexed and thus difficult to use; 4) marriage bonds may be lost and, in any event, contain a relative paucity of information, usually recording only bride, groom and bondsman; and 5) many old family cemeteries are unrecorded, poorly marked or have simply vanished.

Land records, such as conveyances, deeds, land grants, extending back to the Nottingham settlement of the early 1750s in Guilford can often help in pre-1850 problem-solving. One-hundred-and-fifty years ago a man's wealth was often measured by his acreage, not his bank account, and land records were carefully guarded and meticulously kept. County deed books, state land grants and Granville grants (all of which should be of interest to Guilford researchers) are well indexed and relatively easy to access.

Though most land records do not explicitly state familial relationships (such as father and son), they may be very useful in inferring such relationships. Thus, if you find the

names of two people with the same surname but different given names on a deed, there's a good chance they're related.

Also note that in addition to land records, county deed books sometimes include conveyances of personal property such as furniture and slaves. For example, a complex division of slaves from an estate may be recorded as a deed -- and extremely useful in establishing familial relationships, especially where a will or other estate records cannot be located.

The study of land records also allows researchers to place their ancestors in space, as well as time. Granville and North Carolina land grant records often include plats, and plats sometimes appear in county records, though perhaps rarely in county deed books. But even when they're absent, plats can be reconstructed from surveys, and land forms (e.g., creeks) and adjoining tracts can often be used to locate ancestral lands on modern maps. The wonderful work done by Fred Hughes in his historical maps of Guilford and other Piedmont counties is testimony to the value of plats and surveys. Many genealogists have derived satisfaction from mapping their ancestral lands.

Has the above sufficed to whet your appetite for land records?

Genealogists working on land records in Guilford and other Piedmont counties should follow a three-step process of research by examining: 1) available published abstracts of county deeds, 2) indices to county deed books and, if warranted, the books themselves, and 3) State of North Carolina land grants and Granville grants.

In following this process, and working back in time, consider the evolution of counties and their boundaries. Thus, for example, Guilford County was not created until 1771. If you've found deeds for your ancestors in Guilford, you should also check the deed books for Guilford's parent counties: Rowan and Orange.

Abstracts

Especially over the last thirty years or so, many enthusiastic genealogists and genealogical societies have produced collections of deed abstracts for North Carolina counties. Typically, an abstracted deed will include names of individuals, land forms such as creeks or rivers, and the acreage conveyed to the grantee. Virtually all collections of deed abstracts include surname indices, and the better indices also include place names and break down surnames by given names. In summary, where available, collections of abstracts afford excellent quick reference tools for establishing if and where your ancestors owned land.

What does an abstracted deed look like? Here's an example of one from Jo White Linn's *Abstracts of the Deeds of Rowan County, North Carolina, 1753-1785*, vols. 1-10 (Salisbury, NC: the author, 1983), p. 116:

7:458. 16 Mar. 1772. William Archibald & wf Martha to Isaac Lovlace for £70 proc. 238 A on S side S frk of Fifth Crk, granted Wm Archibald Sr. now decd & left to his son Wm Jr. Andrew Reed, Thomas Archibald. Prvd May Court 1772.

Linn's abstract indicates that this deed, dated 3/16/1772, appears on page 458 of volume VII of the Rowan County deed books. In exchange for £70 proclamation money, William and Martha Archibald granted 238 acres located on the south side of the south fork of Fifth Creek to Isaac Lovlace. Thus, William and Martha Archibald were the grantors and Isaac Lovlace was the grantee. Andrew Reed and Thomas Archibald witnessed this deed and it was "proved" or recorded in the Rowan County court in May 1772. Also note that contrary to the above statement with respect to deeds and relationships, this conveyance does indeed provide an explicit statement of familial relationship. This typically occurs where the chain of the title (history of the ownership) to a particular tract is rehashed in the body of a deed.

Though Linn's work is excellent, researchers should never stop at an abstract. Valuable additional information can often be obtained by examining the deed books themselves, and even in the best collections of deed abstracts there are mistakes. Moreover, most North Carolina county deed books have not been abstracted. Generally, where work has been done, genealogists have begun with the earliest surviving books in a county and worked their way forward in time.

County Deed Books

The county deed books are compilations of court copies of land deeds and other conveyances. They should appear in the books chronologically since they are recorded by the county courts, though not necessarily as the conveyances are made. Frequently, there are delays in recording a deed, and sometimes conveyances (especially State land grants) were never recorded in county books. Also, sometimes early court copies appear to bear the original signatures of grantor, grantee and witnesses, though this is probably unusual.

Most local history / genealogy collections at NC libraries will have county deed books for their county (and sometimes also parent counties) on microfilm -- at least up to the mid-to late-nineteenth century. Later deed books can usually be examined at the register of deeds office at the county courthouse. Virtually all deed books for counties in NC (except perhaps the most recent) should be available at the State Archives in Raleigh, either as originals or in microform (or as both).

For most NC counties, there are separate grantor and grantee indices to county deed books which are cross-indexed. These are organized generally, though not strictly, in alphabetical order by surname, and are usually typed and fairly easy to read. Usually the index entries for each letter of the alphabet will be preceded by a surname key with listings like "Samuels 9" or "Smith, Smyth 144-148". These entries indicate pages of the indices to check for conveyances by surname. You should look for this key first, then proceed to the appropriate page numbers for your surname(s).

Sometimes you will also come across indices which are in manuscript -- these may be less user friendly.

Once you've located your surname in the index, you'll find that most of the time the entries are listed chronologically. Moving left to right, the date of the conveyance will be followed by the surname, then the given name. In the right-hand columns you will find the type of conveyance (usually a deed), how much was paid by the grantee or the acreage granted by the grantor, a letter or number designating in which book the deed appears and the page number. Be sure and record the deed book letter or number and the page number for each deed you wish to look up.

To look up the deed, find the corresponding microfilm reel (or actual book). Since most old deed books were compiled by court clerks in manuscript, they may often be difficult to read. Sometimes ink and paper may have degraded over the years, also creating problems for researchers.

But, fortunately, deeds (land deeds anyway) tend to follow a fairly consistent formula, and once you get used to the formula it becomes easier to make out a difficult hand.

The first name to appear in a land deed is usually the grantor. Thus, you may see something like "John Smith of Guilford County and the State of North Carolina". There will then follow the consideration, i.e., something of value exchanged for the land, usually a sum of money, though possibly (in the case of a relative) "for and in consideration of love and affection". The next name is usually that of the grantee, which may be phrased as "William Jones of the county and state aforesaid". If the researcher is fortunate, he may next find a description of the chain of title to the land. Then follows the survey in metes and bounds: something like "a certain tract of land on the waters of Deep River . . . beginning at a black oak on John Jones' line running thence 200 poles 40 degrees to a white pine" etc. After this, you should see the number of acres comprising the grant, usually phrased "containing ____ acres more or less". Next, you will typically see legalistic language conveying the land to the grantee, "his heirs and assigns forever" etc., and the date of the conveyance. The deed should be signed by the grantor and two witnesses -- whose signatures were often just marks (x and o being most common), since many of our long dead ancestors were illiterate. Lastly, you should find the court clerk's signature (he was hopefully literate) and the date of the deed's entry in the court record.

Though the order of the various components of a deed will vary -- and chain of title is often left out -- most deeds follow some variation of the above formula.

Most of this information will be included in a good abstract (such as the one cited above by Linn). The exception is typically the measurements used to describe the land in a survey (usually names such as "John Jones' line" will be abstracted), which is essential for genealogists who want to plat or map their ancestor's land.

But the value of consulting the court copies of deeds goes well beyond platting. Again, by no means are all deeds abstracted, and it really can pay to check the deed books.

Granville and State of North Carolina Land Grants

Most of the territory that was the Carolinas, Georgia and Florida was originally granted by King Charles II to a group of eight of his supporters who would be known as the Lord Proprietors. These were fairly narrow strips of land north to south -- perhaps the width of no more than a few present-day counties -- but east to west they theoretically extended to "the South Seas". All of the Lord Proprietors sold their lands back to the crown in 1729, except one -- Sir George Carteret, later Earl Granville.

Granville's proprietorship was about 60 miles wide (from the VA-NC border southward) and included present-day Guilford. Thus, land grants or patents issued in Guilford before 1763 were Granville grants, and had to be applied for through the Granville Land Office. The Granville office closed in 1763, never reopened, and the State of North Carolina confiscated the lands during the Revolution. Consequently, no land grants were issued in the Granville District between 1763 and 1778, when the State of North Carolina began issuing grants of its own in the old Granville proprietorship.

In the mid-18 century, hundreds of thousands of acres in Piedmont North Carolina lay unclaimed and the authorities encouraged immigration. Lands in Pennsylvania were rapidly filling up and were much more expensive. Thus, many thousands of Scotch-Irish and German settlers came to the Carolinas seeking these bountiful and cheap lands.

Immigrants obtained title for Granville grants, and also State of North Carolina grants, through a four-step process. The first step was the land entry, i.e., an application for a grant made by entering an unclaimed piece of land with the Granville Land Office or the county entry taker for the Secretary of State's Office. The entry included a rough description of the land: estimated acreage, references to land forms associated with the tract, and the names of other landholders whose lands bounded the entry.

The entry of the land was followed by step two, the issuance of an order to survey the land, called the land warrant. The warrant was sent by the land office to the county surveyor. As with the land entry, it included a rough description of the lands to be surveyed. Often, there was considerable lag time (several years was not unusual) between the issuance of a warrant and the actual survey of a land claim.

The third step in the process, the survey of the land, which included both measurements (in metes and bounds) and plat, then followed. Plats associated with these surveys are often wonderfully drawn, showing creeks and rivers as well as the shape and boundaries of land tracts. The scale used in old land plats often conforms quite well to United States Geological Survey (USGS) maps -- with a little luck, sometimes you can make a quick match. In addition to the description of the land and the plat, surveys also usually identify chain bearers or chain carriers, who assisted the surveyor (usually the names of two men next to the initials CC or CB). One or both of the chain bearers was often related to the grantee.

Sometimes there were discrepancies in the land described in the warrant and what was actually surveyed, probably most commonly due to conflicting claims on the land. Thus, it is not unusual to find inconsistencies between acreage given in the warrant and survey, or even warrants and surveys for which no grant was issued.

The issuance of the land patent or grant, which conveyed the land to the applicant, was the final step. Unless there were conflicting claims, this part of the process was usually just a formality -- the applicant paid his fees and the land was his. The Granville Office made duplicate "loose" originals of the grants it issued -- most of which survive. However, the practice of the Secretary of State's office was to copy state land grants into ledgers (much as the court clerk did on the county level). The originals of these are often lost, unless they have been passed down in families, but the copies are still available in the land grant books at the NC State Archives. Probably all Granville grants and most NC land grants were proved in court and recorded in the county deed books, but this is not always true. If you are researching an ancestor who purchased many different land tracts, there's a good chance he obtained a State grant that's unrecorded. The only way to find out is to examine the land grants index at the NC State Archives.

Many old county land entry books for North Carolina have been abstracted in recent years by Dr. Bruce Pruitt, and Margaret Hoffman's work abstracting the Granville grants is well known. Hoffman has also begun compiling abstracts of State land grants. However, most of the work of researching the land grants still must be conducted in the State Archives in Raleigh, where the records of the Secretary of States' Land Office are held.

Years ago, a card-index was set up to provide access to the grants. Each index entry includes a file number and book and page numbers (unless the grant was never made, in which case there will be no book and page numbers). The file number corresponds to a "shuck," a small oblong envelope which usually (some have disappeared over the years) contains the original land warrant and survey. The book and page numbers are for the ledger in which the Secretary of State's Office recorded the grant. All of the land grant books have now been microfilmed, and the contents of many of the shucks have also been filmed. Loose papers associated with the files of the Granville grants (warrant, survey, grant, etc.) have been microfilmed as well.

It's also worth noting that the Granville grants are very attractive documents and bear the original signatures of grantees -- though, of course, our ancestor's were sometimes illiterate and signed with a mark. Like other conveyances, land grants (or associated paperwork) may also occasionally (albeit rarely) include explicit statements of relationship. For example, a land warrant could include a statement transferring a claim from father to son or the metes and bounds may include a reference to "his father's" land.

Additional Sources on Land Records

Certainly the best source for additional information on NC land records is Helen F.M. Leary's *North Carolina Research: Genealogy and Local History*, 2nd ed. (Raleigh, NC: North Carolina Genealogical Society, 1996), Chapter 13, "Land Records," pp. 209-230, and Chapter 31, "Land Grants," pp. 313-328. If you are interested in learning how to draw plats from metes and bounds, we suggest you see Chapter 7, "Mapping," by Julian G. Hoffman and B. Ransom McBride, pp. 117-133. The first ed. of Ms. Leary's work, published in 1980, is also very useful.

Land & Property Research in the United States by E. Wade Hone (Salt Lake City, UT: Ancestry Incorporated, 1997) is an excellent compendium of information for those interested in out-of-state research.

Some original land records are now available in digital format on the Internet. A searchable index to digitized Federal land patents can be found at [The Official Federal Land Patent Records](#), and others, such as the [Library of Virginia](#), are experimenting with digitization.